
Publish date:
2/4/15

WQC number: 054-I002-WQC-1

Public Notice

Closing Date:
3/5/15

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE PERMITS

APPLICATION FOR WATER QUALITY CERTIFICATION
FOR SURFACE COAL MINING ACTIVITIES

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the State which require federal permit or license are consistent with Kentucky's water quality standards found in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at 502/564-2320.

1. OWNER:

Kentucky Division of Abandoned Mine Lands

Give name of person(s), company, governmental unit, or other owner of proposed project.

MAILING ADDRESS:

2521 Lawrenceburg Rd.

Frankfort, KY 40601

TELEPHONE #: 502-564-2141

EMAIL: jason.robinson@ky.gov

2. AGENT:

N/A

Give name of person(s) submitting application, if other than owner.

ADDRESS:

N/A

N/A

TELEPHONE #: N/A

EMAIL: N/A

3. CONSULTANT N/A

TELEPHONE #: N/A

EMAIL: N/A

4. DESCRIPTION OF CONSTRUCTION:

Reclaim three abandoned mine pits and a section of dangerous highwall along a county roadway using onsite mine spoil adjunct to each pit/highwall, to eliminate a dangerous highwall and two impoundments of acid mine drainage and maintain or create stable ephemeral stream channels.

Describe the type and purpose of construction and describe stream impact

Environmental and Public Protection Cabinet
Department for Natural Resources

Form DNR-WQC 2/07

5. COUNTY: Hopkins NEAREST COMMUNITY: Mortons Gap

6. USGS QUAD NAME: Madisonville East

LATITUDE/LONGITUDE: 37.26002° N, 87.47517° W

7(a). STREAM NAME (List all stream reaches affected):

Unnamed tributaries of Flat Creek

WATERSHED SIZE (above the toe of permanent structure for each stream reach) in acres:

7 acres for Pit 1, 7 acres for Pits 2 & 3

LINEAR FEET OF EACH STREAM IMPACTED (including flow regimes):

7(b). WETLANDS (Provide acreage of wetlands impacted): Pit 1- 0.456 acres, Pit 2- 0.594 acres, Pit 3- 0.640 acres

8. DIRECTIONS TO SITE:

From the Mortons Gap exit (I-69) take KY 813 towards Mortons Gap. After 0.5 miles turn right
Onto Flat Creek Road. Travel 1.2 miles. Turn right at the stop sign. Upper site is 100 yards ahead. Turn left at the
stop sign and the lower sites are approx. 400 yards on the right.

9. HAS AN APPLICATION FOR A CORPS OF ENGINEERS 404 PERMIT BEEN SUBMITTED?

☒ Yes ☐ No TYPE OF PERMIT: NW 14 ☐ NW 21 ☐ NW 37 ☒ Individual ☐

10. DNR (SMCRA) Permit No. NA and KPDES No. NA are associated with this mining activity.

11. LIST OF ATTACHMENTS: List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS
topographic map clearly showing the project location.

ACOE PACKET

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE:



Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 2-2-15

SUBMIT APPLICATION AND ATTACHMENTS TO:

**WQC Coordinator
Division of Mine Permits
2 Hudson Hollow
Frankfort, KY 40601**